

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Session

June 1, 2009  
8:00 p.m.

Council Chamber  
Bellevue, Washington

PRESENT: Mayor Degginger, Deputy Mayor Balducci, and Councilmembers Bonincontri, Davidson, Lee and Noble

ABSENT: Councilmember Chelminiak

1. Call to Order

The meeting was called to order at 8:05 p.m., with Mayor Degginger presiding.

2. Roll Call, Flag Salute

Upon roll call, all Councilmembers except Councilmember Chelminiak were present. Councilmember Davidson led the flag salute.

(a) Proclaiming June 20 and 21 as Mountains to Sound Greenway Days

Debbie Pettersson, Park Ranger, reported that the 6<sup>th</sup> Annual Greenway Days Festival will be held on June 20 and 21. Activities in Bellevue include free environmental education workshops at the Mercer Slough Environmental Education Center, a Heritage Day event at Kelsey Creek Park and Farm in partnership with the Eastside Heritage Center, and family orienteering at Lewis Creek Park.

Cynthia Welti, Executive Director of the Mountains to Sound Greenway Trust, thanked Debbie and the Parks Department for supporting the festival.

Mayor Degginger read a proclamation recognizing June 20 and 21 as Mountains to Sound Greenway Days in Bellevue.

(b) Proclaiming June 15 as World Elder Abuse Awareness Day

Cathy VonWald, Community Services Supervisor, introduced Diana Thompson from the Bellevue Network on Aging. Ms. Thompson thanked the Council for its support of seniors and its recognition of elder abuse. She noted that neglect and self-neglect are often signs of abuse, which can include emotional abuse, financial exploitation, and physical abuse. She urged

citizens to call 1-866-END-HARM (1-866-363-4276) if they suspect elder abuse. The Police Department advises that residents may call 911 to request a welfare check as well.

Mayor Degginger read a proclamation recognizing June 15 as World Elder Abuse Awareness Day in Bellevue and urging all citizens to commit to building safer communities for our aging residents. Ms. Thompson accepted the proclamation on behalf of the Bellevue Network on Aging.

Councilmember Lee thanked Ms. Thompson for her work and stated that all older adults should be treated with respect and dignity.

Councilmember Davidson spoke to the importance of working to address and prevent elder abuse.

Mayor Degginger welcomed Representative Marcie Maxwell, representing the 41<sup>st</sup> State Legislative District, and Newcastle City Councilmember Carol Simpson to the meeting.

3. Communications: Written and Oral

- (a) Howard Katz, a member of the Bellevue Network on Aging, spoke on behalf of the Senior Advisory Board of North Bellevue. He praised Bellevue for its many recreation activities for older adults. However, he noted that there is no dedicated place for older adults during the daytime. Mr. Katz suggested that one facility could host older adults during the day and provide evening activities for youth and families.

4. Reports of Community Council, Boards and Commissions: None.

5. Report of the City Manager

City Manager Steve Sarkozy noted there are a number of construction projects on the Consent Calendar, for which the City is receiving bids that are substantially below cost estimates.

Councilmember Davidson reminded the public that the City is experiencing decreasing revenues as well.

6. Council Business and New Initiatives

[Council Business was reported during the earlier Study Session.]

7. Approval of the Agenda

- Deputy Mayor Balducci moved to approve the agenda, and Councilmember Bonincontri seconded the motion.
- The motion to approve the agenda carried by a vote of 6-0.

8. Consent Calendar

Deputy Mayor Balducci noted that some of her comments were not adequately reflected in the minutes. She thanked staff for reviewing the audio recordings and revising the minutes to more fully reflect her comments.

- Deputy Mayor Balducci moved to approve the Consent Calendar, including amendments to the May 4, 2009 Study Session minutes and the May 11, 2009 Extended Study Session minutes. Councilmember Bonincontri seconded the motion.
- The motion to approve the Consent Calendar, as amended, carried by a vote of 6-0, and the following items were approved:
  - (a) Minutes of May 4, 2009 Study Session *[Amended as requested by Deputy Mayor Balducci]*  
Minutes of May 4, 2009 Regular Session  
Minutes of May 11, 2009 Extended Study Session *[Amended as requested by Deputy Mayor Balducci]*
  - (b) Motion to approve payment of claims for the period May 2, 2009 through May 29, 2009 and payroll for the period April 16, 2009 through April 30, 2009.
  - (c) Resolution No. 7930 authorizing execution of a contract with Greenshield Systems, LLC, in an amount not to exceed \$198,373.95, for the installation of subsurface drainage at multiple athletic fields throughout the City.
  - (d) Resolution No. 7931 authorizing execution of a grant agreement with the Washington State Department of Community, Trade, and Economic Development to accept grant funds in the amount of \$363,158.00 for the Eastside Narcotics Task Force (ENTF).
  - (e) Motion to award Bid No. 9004, NE 5th Street sidewalk to RW Scott Construction, in an amount not to exceed \$72,682.00, as the lowest responsible and responsive bidder to install curb, gutter and sidewalk on the north side of NE 5th Street from 99th Avenue NE to 100th Avenue NE (CIP Plan No. PW-WB-56).
  - (f) Motion to award Bid No. 9057, 119th Avenue SE new sidewalk and SE 60th Street sidewalk repair to RW Scott Construction, in an amount not to exceed \$70,683.50, as the lowest responsible and responsive bidder to install curb, gutter and sidewalk on the west side of 119th Avenue SE where missing from SE 60th Street to SE 58th Street, and repair to a section of sidewalk on the south side of the 11300 block of SE 60th Street.
  - (g) Resolution No. 7932 authorizing approval of payment for a Release of All Claims in final settlement of \$35,831.72 of a claim filed against the City for property damage to the Folger residence caused by a wastewater system failure.

- (h) Resolution No. 7933 authorizing approval of payment for a Release of All Claims in final settlement of \$29,803.09 of a claim filed against the City for property damage to the Sydney residence caused by a water system failure.
- (i) Motion to reject the low bidder as non-responsive and award Bid No. 9059 for Somerset Woods AC Water Main Replacement, to Earthwork Enterprises, in an amount not to exceed \$326,032.91, as the lowest responsible and responsive bidder (CIP Plan No. W-16).
- (j) Motion to award Bid No. 9095 for Cougar Mountain/SE 45th Street Sanitary Sewer Extension, to Pacific Northwest Earthworks, in an amount not to exceed \$158,804.10, as the lowest responsible and responsive bidder (CIP Plan No. S-30).

9. Public Hearings

- (a) Second Public Hearing to Consider R-1 Pre-annexation Zoning for Unincorporated Land Known as Coal Creek Natural Area  
*[The City Council held the first Public Hearing on April 20, 2009.]*

Nicholas Matz, Senior Planner, noted that state law requires that the City hold two Public Hearings for pre-annexation zoning matters. Upon completion of the hearing, the Council may take action tonight on the Ordinance adopting the proposed R-1 zoning for unincorporated land known as the Coal Creek Natural Area.

Responding to Councilmember Davidson, Mr. Matz confirmed that the City owns the entire park and is annexing the unincorporated portion of the park.

- Deputy Mayor Balducci moved to open the Public Hearing, and Councilmember Lee seconded the motion.
- The motion to open the Public Hearing carried by a vote of 6-0.

No one came forward to comment on the zoning proposal.

- Deputy Mayor Balducci moved to close the Public Hearing, and Councilmember Bonincontri seconded the motion.
- The motion to close the Public Hearing carried by a vote of 6-0.

Ordinance No. 5879 adopting a proposed zoning regulation to become effective upon annexation of a 146-acre area in unincorporated King County located generally west of Lakemont Boulevard to the Newcastle city limits, and north of Newcastle-Coal Creek Road to the Bellevue city limits, and within Bellevue's

Potential Annexation Area (PAA), known as the Coal Creek Natural Area property.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5879, and Councilmember Lee seconded the motion.

→ The motion to adopt Ordinance No. 5879 carried by a vote of 6-0.

10. Land Use: None.

11. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 5880 annexing to the City of Bellevue a 146-acre site, owned by the City, and contiguous to the City Boundary located in the Newcastle Subarea generally west of Lakemont Boulevard to the Newcastle city limits, and north of Newcastle-Coal Creek Road to the Bellevue city limits, and within Bellevue's Potential Annexation Area (PAA), commonly referred to as the Coal Creek Natural Area Annexation, by the municipal purpose method of annexation (Chapter 35A.14.300 RCW).

Mr. Matz explained that Ordinance No. 5880 annexes into the City of Bellevue a 146-acre site owned by the City within the Coal Creek Natural Area, which is within Bellevue's potential annexation area (PAA). The park is a nearly continuous corridor of public lands for wildlife and natural areas preservation and public use and benefits. It is an original hiking segment of the Mountains to Sound Greenway, and is part of the South Bellevue open space system.

Annexing the unincorporated portion makes the Coal Creek Natural Area, totaling 446 acres, the largest park in the City's system. The annexation adds five miles to the natural trail system, resulting in a total of 80 miles of natural trails within the city limits. Because the property is owned by the City, annexation is accomplished by statute under the municipal purposes method.

Deputy Mayor Balducci noted there have been some concerns throughout the consideration of this annexation with regard to the application of residential zoning to the property. She clarified that the City does not have a park zoning designation in its Land Use Code, so the R-1 designation was determined to be the most appropriate zoning. The park will be preserved as a park into the future.

Mr. Matz confirmed that the interlocal agreement with King County requires that the park be preserved as a natural area.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5880, and Councilmember Bonincontri seconded the motion.

Mayor Degginger expressed support for the Ordinance, which formalizes the incorporation of the park into the community.

→ The motion to adopt Ordinance No. 5880 carried by a vote of 6-0.

- (b) Ordinance No. 5881: 1) adopting recommendations for the use of Community Development Block Grant-Recovery (CDBG-R) funds as transmitted by the Human Services Commission; 2) authorizing submission of a substantial amendment to the City of Bellevue's 2008 Action Plan to the United States Department of Housing and Urban Development (HUD) for the CDBG-R Program; 3) authorizing acceptance of a grant award contract with HUD for the CDBG-R Program in an amount not to exceed \$191,689.00; 4) establishing a new project within the Operating Grants, Donations and Special Reserve Fund; 5) authorizing entering into agreements with grant subrecipients; and 6) appropriating unanticipated and future revenues to that fund.

Mr. Sarkozy explained that Ordinance No. 5881 accepts a grant from the U.S. Department of Housing and Urban Development (HUD) and authorizes the expenditure of an estimated \$191,689.

Emily Leslie, Human Services Manager, noted that Human Services Commission Members Doug Hoople and Stefanie Beighle were in the audience. Ms. Leslie explained that while HUD announced the allocations in late February, the requirements for spending the funds were issued on May 5. In order to receive the funds, the City must submit a consolidated housing and community development plan to HUD by June 5. Due to the limited timeframe, staff identified potential projects for funding and presented them to the Human Services Commission for consideration based on the HUD requirements for this funding.

Joseph Adriano, Human Services Grant Coordinator, explained that while the Community Development Block Grant-Recovery Act (CDBG-R) funds can be used for the full range of CDBG eligible activities, Congress intends that they be invested primarily in economic development, housing infrastructure, and other public facilities activities that will spur economic investment, increased energy efficiency, and job creation or retention. In considering project ideas best suited for the use of the funds, it was useful to note the other Recovery Act funds coming into King County including \$8.5 million for workforce investment, \$.5 million for food and emergency shelter, \$3.1 million for housing and homelessness, and \$8.3 million to the King County Housing Authority. For infrastructure investments, HUD emphasizes capital facilities and improvement projects that can be completed quickly.

Jan Stout, Human Services Commission Chair, referenced page 11-19 of the meeting packet for a summary of the Commission's recommendations to utilize the funds for three projects: 1) Major Home Repair Program, 2) Elder and Adult Day Services (EADS) Bellevue Center Rehabilitation, and 3) Downtown Action to Save Housing (DASH) Evergreen Court Rehabilitation.

Responding to Councilmember Lee, Ms. Leslie said up to 10 percent of the grant award can be used for planning and administration purposes. The current proposal reflects approximately five percent in costs for these purposes.

Councilmember Davidson thanked staff for their work in securing these grant funds.

Mayor Degginger thanked the Human Services Commission for its work and recommendations.

Deputy Mayor Balducci commended Human Services staff for quickly preparing proposals for the use of Recovery Act funds. She noted that staff in other departments have been proactive as well in seeking and planning for the use of these funds.

→ Deputy Mayor Balducci moved to adopt Ordinance No. 5881, and Councilmember Noble seconded the motion.

→ The motion to adopt Ordinance No. 5881 carried by a vote of 6-0.

12. Unfinished Business: None.

13. Continued Oral Communications: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 8:41 p.m., Mayor Degginger declared the meeting adjourned.

Myrna L. Basich  
City Clerk

/kaw